1952-44 **File No.** 5683/36

CLASS Public Works **DEPARTMENT**
& **BRANCH**

Subject:— Pay and Allowances.

Work-charged estbt. under C.P.H. & Govt.
Orders re:— when on deputation

B.K. 1940

&

File No. 5683/36

Ed. Secst. Ship. 21 A

Std. Sectt. 78 e.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 5683/36

P. W. **DEPT.**

8 **BRANCH.**

References :—

Date	To whom sent.	Notes and instructions.

E. D.

Submitted.

2. The C. P. H. E. to Govt. states that Local Bodies and Ex. Engrs. of other Dns. frequently request the Services of the estabt. under him for small jobs, for small periods, such as erecting pumping plants etc. as they do not get experienced and trained men from their own localities. As the C. P. H. E. has no regular estabt. for the purpose, he has to depute men borne on work charged estabt. for such jobs. When such men are deputed it is proposed:

(a) that they should be paid 1½ times of the pays allowed to them plus the actual t. a. admissible under the present rules;

(b) the payment should be made direct by the indenting agency ie. by the local bodies or Ex. Engrs. concerned

and

(c) the period of their absence in the P. H. Br. should be treated as leave without allowance i. e. extraordinary leave and that the period should be allowed to count for future increments and leave.

3. It has been proposed separately to grant daily allowance to members of the work-charged estabt. The F. D. has agreed in principle but wants to know the extra cost involved. The local officers were therefore requested to report the extra cost involved if the members of work-charged estabts are held eligible for daily allowance. The report from the S. Es. have been recd. and the papers have been referred U. O. to the F. D.

4. It is the policy of Govt. not to charge high estabt. charges to the local bodies. It has been decided that the inspection of P.H. works which is obligatory should

should be free and that only the travelling and halting allowances of the C. P. H. E. and his staff calculated in accordance with the rules in force should be recovered from the local body concerned.-vide para 2 of G. R. No. 2952/36, dated the 16-1-42.

It therefore appears that to charge the local bodies the pays allowed to the work-charged persons may not be fair.* The deputation and granted deputation allowance of 20% of their pays. If this is done the question of treating the absence as leave without allowance i. e. extraordinary leave and allowing the period to count for future increments and leave will not arise. It may be stated that Mr. M. G. Worliker, Inspr. on the work-charged estabt. was permitted to undertake the calibration of installation tanks at Port Okha. He was treated as if he had not been away from his post on the work-charged estabt. in the Presy. Dn. during the period he spent in con. with the work at Port Okha vide para. 2 of G. M. No. 3020/36-E, dated the 29-7-39. In view of the above, there would be no objection to treat the work-charged persons as on deputation.

* Persons concerned may be treated as on

I think so
Lt - 12/9

5. As proposed by the C. P. H. E. to Govt. the payment may be made direct by the indenting agency. As it is proposed to grant daily allowance to members of the work charged estabt., the persons concerned may be granted t. a. and daily allowance as admissible to the pt. estabt.

6. The C. P. H. E. may be requested U. O. to state whether the above proposals will meet the case in the first instance.

Id/-
11-9-42.

Id/-
11-9-42

U. O. to C. P. H. E. to Govt. d. 15th Febr. 1942.

Returned with compliments.

2. The proposals are quite fair and may please be adopted in the case of men on work-charged establishment who are sent out on duty for works of local Bodies or other Government Agencies.

Id/-
Consulting Public Health
Engineer to Government.

D. A. Nil
RMS
U. O. No. 8900 of 1942.
Poona, Septr., 26th 1942.

To

The Secretary to Government,
Public Works Department.
Bombay.

(E. B.) 5683/38/22965

Submitted with refce. to the notes at pp. 7-8-ante.

2. The C. P. H. E. to Govt. recommends that the proposals made in para. 4 of the O. M. may be adopted in the case of work-charged men who are sent from his office on duty for works of local bodies or other Govt. agencies. By other Govt. agencies the C. P. H. E. presumably refers to the Ex. Engrs. of Dns. who frequently requisition the Services of the P. H. staff for small jobs. The P. H. Br. is one of the Branches of the P. W. D.No. deputation allowance will, therefore, be admissible to the subdtes. of the P. H. Br. when called by the Ex. Engrs. for small jobs. In other words in the case of subdtes. deputed to work for Govt. agencies no deputation allowance will be admissible.

I agree

3. If, however, the services of the work-charged estabt. of the P. H. Br. are requisitioned by States it will be necy. to treat the estabt. as on deputation. The same princip

The same principle will be applicable to non-Govt. bodies

It is, therefore, proposed, if approved, to treat the States

and non-Govt. bodies in the same way as local ~~work-charged~~

~~establishments~~ bodies so far as the deputation of the

work-charged estabt. of the P. H. Br. is concerned.

4. The F. D. has since agreed to grant daily allowance

to members of the work-charged estabt. Orders on the

point are being issued separately.

5. The draft put up may issue after U. O. r. to the

C. D. and the F. D.

Id/-
10-10-52.

Instead mentioning
~~Inclosed of ministery~~ the work involved i

better to lay down a period for which the ~~period~~ Services are asked

for

Id/-
10-10-

Id/-
13-10.

and posted ~~Secretary~~ General Deptt.
~~Board Deputy.~~

Seen the papers on to the F. D.

Id/-
22-10-52.

Id/-
24-10-52.

W U. O to issue F.D. 27/10/52.

There are two kinds of deputations which are taken into account in the present case.

(i) Lending Service of the work-charged Estt. to local bodies, states and outside bodies.

(ii) Lending Service to other Executive Engineers.

2. It appears from these papers that the P. W. D. proposes to issue orders to cover cases of deputations of the first type only.

3. The proposals of the P. W. D. are that in cases of such transfers:-

(i) the periods of absence from the Consulting Public Health Engineer's Establishment should be treated as on deputation and they should be granted a deputation allowance of 20%;

(ii) they should be allowed t. a. and d. a. admissible under the B. C. S. Rs.;

(iii) the payment should be made direct by the indenting agency.

4. Under G. M., P. W. D., No. 3020/36-E, dated 16-2-39 an Inspr. on the work-charged establishment was deputed to Baroda State and the State had to bear the pay and allowances at the rates fixed plus t. a. of the Inspr. From G. M., P. W. D. No. 3020/36, dated 29-7-39, and the F. D. office note dated 24-7-39 and the Dy. Secy.'s note thereon underlying the Memo. it will be seen that although the B. C. S. Rs. do not apply to the work charged establishment, there is no objection to apply those rules in such cases. A period of authorised foreign service would apparently not constitute a break in service as such.

To safeguared this position it was agreed agreed that the Inspar (Werlikar) be treated as if he had not been away from his work-charged post during the period, whatever advantage that may mean. The F. D. may agree to exactly similar treatment being accorded in the present as well in all cases of such foreign service.

5. As regards the pay and allowances for such periods, the proposal to grant pay at 1,1/5th is reasonable and may be agreed to. The proposal regarding to a. and d. a. admissible under the Rules may be agreed to also.

Id/-
16-11-42

Id/.
2-12

U. O. R. to the P. W. D. (with file P. W. D. 3020/36)

d. 31-12-42.

(E. B.) Note . . . . P. W. Deptt.

The G. Q and E. D. have agreed to the proposals contained in this Deptt. draft Reso., which may now issue.

Id/-
7-12-42.

Id/-.
12-12.

Pay and allowances.
Work-charged establishment under the Consulting Public Health Engineer to Government.
Orders regarding-when on deputation.

GOVERNMENT OF BOMBAY.
Public Works Department.
Resolution No. 5683/36.
Bombay Castle, 15th December 1942.

Letter No. 9573, dated the 20th December 1941, from the Consulting Public Health Engineer to Government:- (R. H. Collector-Engineer). Engr.

"I have the honour to state that Local Bodies and Executive Engineers of other Divisions frequently request the services of the establishment of this Division for small jobs, for small periods, such as erecting pumping plants etc. as they do not get experienced and trained men from their own localities. As I have no regular establishment maintained for the purpose in this Division, I have to depute men borne on Work-charged Establishment for such jobs."

"2. The men on the Work-charged Establishment when sent out on duty are not entitled to get any D. A. or T. A. as is admissible to persons borne on regular establishment and as such they have to work at outside places under difficult circumstances. At times they have to work at those places for longer periods which cause them extra expenditure for the min maintenance of their families at headquarters. With a view therefore to overcome all these difficulties and to compensate for the loss sustained by these men, as explained above, it has been decided by me to treat the period of absence of these men from headquarters as leave without allowances, to pay them at 1½ times of the pays allowed to them in this Division plus the actual T. A. admissible to Work-charged Establishment under the present rules and also that the payment of such increased pay and T. A. admissible

admissible to Work-charged Establishment under the present rules and also that the payment of such increased pay and T. A. is to be made to them direct by the indenting agency i. e. by the Local Bodies or the Executive Engineers concerned.

"3. As these men are required to be sent at outside places on deputation in the interest of works of Local Bodies and other Government Works, the period of their absence from this Division is required to be treated as leave without allowances i. e. extraordinary leave. It will be seen from this that this extraordinary leave is given to them for no fault of their own. It seems therefore that the circumstances mentioned in rule 50 (b) of the Bombay Civil Service Rules, Volume I, equally apply to the case under reference and as such the period of absence of these men can be allowed to count for future increments and leave. Had they not been deputed for the works under reference, these men would have continued in their old jobs in this Division from year to year, and as such they would have been entitled to leave and also to draw usual increments permissible to them under the rules.

"4 Rules I would therefore request you to confirm the action taken by me in deputing the Work-charged men for outside works under the conditions as stated above and also to confirm my my presumption that the period of absence of these men from this Division is not considered a break in their service."

Read memorandum No. 8900, dated the 29th September 1942, from the consulting Public Health Engineer to Government.

RESOLUTION:- Government is pleased to direct that-

(i) When the services of members of the work-charged establishment employed under the Consulting Public Health Engineer to Government are requisitioned by Local bodies, States or non-Government bodies for short periods not exceeding 15 days including the time spent in travelling, this establishment should be treated as on deputation and be

be granted a deputation allowance of 20 per cent. of their pays and should be held eligible for daily allowance and travelling allowance as admissible under the Bombay Civil Services Rules;

(ii) The payment of the Work-charged establishment while on deputation should be made direct by the indenting agency.

By order of the Governor of Bombay,

Id/-

(R. H. HAMMETT,)
Deputy Secretary to Government.

G. R. No. 5683/36, P. W. D. dated the 15th December 1942.

To

The Finance Department.

The General Department.

The Commissioners of Divisions.

The Collectors of Districts.

The Consulting Public Health Engineer to Government.

The Accountant General, Bombay (through the Finance Deptt)

No. of 1952.

Copy forwarded for information and guidance to

Jd 30/12

Pay allowances.
Work-charged establishment under the Consulting Public Health Engineer to Government-Orders regarding when on deputation.

GOVERNMENT OF BOMBAY.
Public Works Department.
Resolution No. 5683/36.
Bombay Castle, 17th April 1943.

Read Government Resolution, Public Works Department, No. 5683/36, dated the 15th December 1942.

Letter No. W. M. 1819, dated the 25th January 1943, from the Accountant General, Bombay, as under:-

"With reference to Government Resolution, Public Works Department, No. 5683/36, dated 15th December 1942, on the subject specified above, I have the honour to presume that as the intention of the orders is to allow the period spent on deputation by the members of the work-charged establishment to count for increments in time scale of pay admissible to them, the duties performed while on deputation would be of equal and not of less importance than those attached to their original posts. This presumption may please be confirmed.

"2. If the period spent on deputation is to count for leave the question arises as to whether any leave contribution should be recovered from the indenting agency. Unless Government want to recover the leave salary contribution, it is open to Government to forego the recovery in these cases in view of the small amounts involved and allow the periods to count for leave, or to order the elimination of periods spent on deputation from service qualifying for leave, as they consider fit.

"3. It is presumed that pay during the period of transit either way will be paid by the indenting agency.

leave but leave contribution for the leave earned during the period of deputation should not be recovered from the indenting agencies;

(c) during the period of transit either way they should be granted the ordinary rate of pay (without deputation allowance) and the payment thereof should be made direct by the indenting agencies;

(d) if a member on deputation takes leave in continuation of a period of deputation he should be paid leave allowances based on his pay under this Government (without deputation allowance) in accordance with paragraph 92 (b) of the Bombay P. W. D. Manual, Volume I.

2. A correction slip incorporting in the Bombay P. W. D. Manual, Volume I. the orders issued in Government Resolution No. 5683/36, dated the 15th December 1942, and in this Government Resolution will be issued later.

By order of the Governor of Bombay.
Id/-
Deputy Secy. to Government.

G. R. No. 5683/36, P. W. D. dated the 17th Aptil 1943.

To

The Finance Department.

The General Department.

The Commissioner of Division.

IMO. The Collectors of Districts.

The Consulting Public Health Engineer to Government.

The Accountant General Bombay (through the Finance Deptt.

No. of 1943.

Copy forwarded information and guidance to